

## **REMARKS/ARGUMENTS**

Applicant's representative gratefully acknowledges the courtesy and assistance afforded to him by Examiner Chan during the telephone discussion of March 30, 2006.

Claims 2, 4, 13-14, 18, 26-29, and 31-32 were pending in this application. According to the January 23, 2006 Office Action, claims 2, 4, 13-14, 18, 26-29, and 31-32 were rejected. Applicant has amended claims 2, 4, 14, 18, 27, 29, and 32, has canceled claims 28 and 31, and has added new claims 33-35. Accordingly, claims 2, 4, 13-14, 18, 26-27, 29, and 32-35 are under consideration. Applicant maintains that the amendments do not introduce any new matter.

### **Rejection of Claims 2, 4, 13 and 14 under U.S.C. 112**

The Examiner rejected previously presented claims 2, 4, 13, and 14 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner indicated that the specification discloses a device for holding garment hangers that includes a resistant opening formed by convexly shaped surfaces and that includes one opening in the body portion, but that the specification does not disclose such a device with plural openings in the body portion, as recited by claims 2, 4, 13, and 14. Accordingly, the Examiner indicated that claims 2, 4, 13, and 14 constitute new matter.

Applicant respectfully disagrees and submits that the original specification clearly discloses a device for holding garment hangers that includes a resistant opening formed by convexly shaped surfaces and that includes either one or plural openings in the body portion. Specifically, the specification discloses at paragraphs [0005] and [0006] in the Summary of the Invention the following:

**[0005] ... The hook shaped member has a hook opening shaped and sized to provide resistance when the member is placed on and removed from a rod or rail. Curves on opposing surfaces of the**

hook opening increase the resistance or interference felt upon removal of the hook shaped member from a rack, thereby helping to prevent accidental removal. ...

[0006] The hook shaped member includes a slot through which a strap of material, for example, a strap of flexible material, can be attached. The strap has a loop for hanging garment hangers. Preferably, a number of slots are provided in the hook shaped member ....

Similarly, the Abstract of the specification discloses the following:

A garment hanger holder device has a hook with a rectangular slot to receive a strap formed into a loop. The hook member can have multiple slots ..... An opening of the hook member is sized and shaped to be about equal to a diameter of a standard size garment hanging rod. The opening size and shape creates resistance with the hook is placed on or removed from a garment hanging rod....

Applicant respectfully submits that based on the foregoing, one skilled in the art would readily recognize that Applicant, at the time the application was filed, clearly disclosed a device for holding garment hangers that includes a resistant opening formed by convexly shaped surfaces and that includes either one or plural openings in the body portion, and that Applicant thereby had possession of the claimed invention as recited by claims 2, 4, 13, and 14 at the time the application was filed. Accordingly, Applicant respectfully submits that claims 2, 4, 13, and 14 do not constitute new matter and respectfully requests withdrawal of the rejection of these claims under 35 U.S.C. 112, first paragraph.

#### **Rejection of Claims 29 and 31 in view of Oatley**

The Examiner rejected previously presented claims 29 and 31 under 35 U.S.C. 102(b) as being anticipated by Oatley, patent 70,884 (hereinafter Oatley). In response to the Examiner's rejection, Applicant has amended claim 29 to include the limitations of claim 31,

thereby canceling this claim, and has further amended claim 29 to recite that the device includes a strap. Applicant has also amended claims 2, 4, 27, and 32 to be consistent with the changes made to claim 29. Claim 29 now recites in part, a device comprising,

a hook portion ...;  
a body portion connected to said hook portion...;  
an opening in said body portion; [and]  
a strap threaded through said opening in said body portion ....

Oatley discloses a device that includes two hooks, "A" and "B". Hook "A" includes a loop "b" to which hook "B" is attached to form a swivel-joint so that either hook may rotate. As disclosed by Oatley, hook "A" is intended to be attached to an overhead rack while the strap or handle of a bag is intended to be attached to hook "B".

In the Office Action, the Examiner indicated that loop "b" of Oatley is the opening in the body portion of amended claim 29. Applicant respectfully submits that while loop "b" is an opening in the device of Oatley, Oatley does not teach a strap threaded through loop "b", as claim 29 now recites. In addition, Applicant respectfully submits that there is no suggestion or motivation to thread a strap through loop "b" like that of the present invention given that the Oatley device already includes hook "B" on which items may be hung.

Accordingly, for the foregoing reasons, Applicant respectfully submits that Oatley does not teach or suggest claim 29, in addition to claims 2, 4, 27, and 32, which depend therefrom.

#### **Rejection of Claims 27, 29, 31, and 32 in view of Collins**

The Examiner rejected previously presented claims 27, 29, 31, and 32 under 35 U.S.C. 102(b) as being anticipated by Collins, patent 3,972,455 (hereinafter Collins). As indicated above, Applicant has amended independent claim 29 to include the limitations of claim 31, thereby canceling this claim, and has further amended claim 29 to recite that the device includes a strap.

Collins discloses in Figure 7 a garment hanger that includes two gripping jaws 1 and 2 secured to a pin 23 and a bracket 22, and that further includes a hook 20 also secured to bracket 22. In the Office Action, the Examiner indicated that the opening formed by the interconnection of jaws 1 and 2, pin 23, and bracket 22 of Collins is the opening in the body portion of claim 29. Applicant respectfully submits that while the garment hanger of Collins includes an opening, Collins does not teach a strap threaded through this opening, as claim 29 now recites. Applicant also respectfully submits that there is no suggestion or motivation to thread a strap through this opening, such a strap arguably interfering with the proper functioning of the garment hanger.

Accordingly, for the foregoing reasons, Applicant respectfully submits that Collins does not teach or suggest claim 29, in addition to claims 2, 4, 27, and 32, which depend therefrom.

#### **Rejection of Claims 13, 14, 18, 26, and 28 over Hall in view of Adkins**

The Examiner rejected previously presented claims 13, 14, 18, 26, and 28 under 35 U.S.C. 103(a) as being unpatentable over Hall, patent 637,733 (hereinafter Hall) in view of Adkins, patent 5,083,813 (hereinafter Adkins). Beginning with independent claim 18, the Examiner indicated that Hall teaches a rod "J" and a hook shaped member having a hook portion "G" and body portion "A" as recited by claim 18, but that Hall does not teach that the hook opening of the hook shaped member has a dimension approximately a same size as the diameter of rod "J". Here, the Examiner indicated that Adkins teaches a hook opening that is slightly less than the diameter of a rod and that in view of Adkins, it would be obvious to modify the hook opening of Hall to be approximately the same size as the diameter of rod "J", thereby obviating claim 18.

In response to the Examiner's rejection, Applicant has amended claim 18 to recite limitations similar to independent claim 29 regarding the convex shape of the extended hook region surface and the body portion surface that form the hook opening. In accordance with

this change, Applicant has canceled dependent claim 28. In addition, to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention, Applicant has also amended claim 18 to recite that the hook shaped member includes a strap, and has amended dependent claim 14 to be consistent with this change. Accordingly, claim 18 now recites in part,

wherein a vertical plane of said hook shaped member passes through a center of said extended hook region surface, a center of said body portion surface, and a center of said rod retaining surface; and

wherein said extended hook region surface is convexly shaped in a direction orthogonal to said vertical plane, wherein said body portion surface is convexly shaped in the direction orthogonal to said vertical plane, and wherein said body portion surface is also convexly shaped along said vertical plane ....

In the Office Action, the Examiner indicated that the inner surfaces of region "f" and region "g" of the hook shaped member of Hall are the body portion surface and the extended hook region surface, respectively, of claim 18. Applicant respectfully submits that the inner surfaces of region "f" and region "g" of Hall are not convexly shaped as claim 18 now recites and as such, Hall and Adkins do not obviate claim 18

In particular, similar to claim 18, the hook shaped member of Hall has a vertical plane that passes through the centers of the "body portion surface" (i.e., the inner surface of region "f"), the "extended hook region surface" (i.e., the inner surface of region "g"), and the "rod retaining surface" of this hook shaped member. However, contrary to claim 18, the inner surfaces of region "f" and region "g" are not "convexly shaped in a direction orthogonal" to this vertical plane of the Hall hook shaped member. Rather, as shown in Hall Figure 2, the inner surfaces of region "f" and region "g" are flat in this direction.

In addition, Applicant respectfully submits that there is no suggestion or motivation to

modify the inner surfaces of region "f" and region "g" to be convexly shaped as recited by claim 18 because doing such would affect the ability of the hook shaped member of Hall to securely attach to bar "J", as taught by Hall. Applicant also respectfully submits that Adkins does not teach, suggest, nor disclose the limitations of claim 18 not taught by Hall. Accordingly, Applicant submits that Hall and Adkins fail to obviate claim 18, in addition to claims 13, 14, and 26, which depend therefrom.

### **New Claims 33-35**

To more particularly point out and distinctly claim the subject matter which Applicant regards as the invention, Applicant has added new claims 33-35. New claims 33-34 depend from independent claim 18 and as such, Applicant submits these claims are novel and nonobvious in view of the cited references for reasons similarly discussed above. New independent claim 35 is similar to amended independent claim 29 but recites "a strap permanently affixed to said body portion", rather than a strap threaded through an opening in the body portion. Applicant respectfully submits that claim 35 is novel and nonobvious in view of both Oatley and Collins because neither reference teaches or suggests a strap permanently affixed to the disclosed devices. In addition, claim 35 recites a convexly shaped body portion surface and extended hook region surface, as similarly recited by claims 18 and 29. Accordingly, Applicant respectfully submits that claim 35 is also novel and nonobvious in view of Hall and Adkins for reasons similarly discussed above.

### **Conclusion**

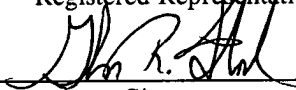
Since Oatley, Collins, Hall, and Adkins do not teach or suggest Applicant's invention, alone or in combination, as now set forth in claims 2, 4, 13-14, 18, 26-27, 29, and 32 and new claims 33-35, Applicant submits that these claims are clearly allowable. Favorable reconsideration and allowance of these claims are therefore requested.

Applicant earnestly believe that this application is now in condition to be passed to issue, and such action is also respectfully requested. However, if the Examiner deems it would in any way facilitate the prosecution of this application, she is invited to telephone Applicant's agent at the number given below.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on April 24, 2006:

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Name of applicant, assignee or  
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Signature

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Date of Signature

Respectfully submitted,



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